

REMARKS

In response to the Office Action dated June 18, 2004, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-11 and 19-30 are pending in this application. Claims 25-30 are added and claims 1, 19, and 23 are amended. The added claims and amendments contain no new matter and are supported by the entire specification, including the drawings and claims.

The Examiner rejected claims 1-8 and 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,275,575 to Wu ("Wu") in view of U.S. Patent No. 6,456,709 to Cox et al. ("Cox") further in view of U.S. Patent No. 6,501,740 to Sun et al. ("Sun").

Under 35 U.S.C. § 103(a), a *prima facie* case of obviousness is established when the Examiner provides (1) one or more references (2) that were available to the inventor and (3) that teach (4) a suggestion to combine or modify the references, (5) the combination or modification of which would appear to be sufficient to have made the claimed invention obvious to one of ordinary skill in the art.

Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness, because the cited references fail to teach or suggest all of the elements of the claimed invention.

The reference or references when combined must teach or suggest all the claim elements. Claim 1 recites, *inter alia*, "A system for setting-up a future audio conference between a host party and at least one participant party, said system comprising: . . . a call facility for making audio connections, according to the future audio conference request, to the host party and at least one participant, said call facility first attempting an audio connection to the host party and making an audio connection to the at least one participant after the host party has answered the audio connection". The Examiner admits that Wu does not disclose these elements and erroneously cites Cox for these elements (Cox, figure 1, references 102(b) and 106; col. 13, lines 26-35). In contrast to

the claimed elements, the cited sections of Cox disclose what happens when a request for directory assistance results in a busy signal. (Cox, col. 5, lines 3-4; cols. 9-13; col. 9, lines 31-38; col. 13, lines 4-35). This is completely different from the claimed invention. The claimed invention is directed to setting up future conference calls and has nothing to do with directory assistance. Furthermore, Cox does not teach or suggest the claimed elements of claim 1, because Cox does not disclose how to make audio connections to set up a future audio conference. Sun, which is relied upon for disclosing a bridging facility, fails to cure these deficiencies of Wu and Cox. Therefore, the combination of Wu, Cox, and Sun fails to teach or suggest all the elements of claim 1.

Claims 2-8, 11, and 25, depend directly or indirectly from claim 1 and, thus, inherit the patentable subject matter of claim 1. Therefore, claims 2-8, 11, and 25 are also patentable over the combination of Wu, Cox, and Sun.

Claim 26 recites, *inter alia*, "placing a host call to the host telephone number at the teleconference date and time; after receiving an first answer at the host telephone number, placing at least one participant call to the at least one participant telephone number". For the same reasons as discussed above, the combination of Wu, Cox, and Sun fails to teach or suggest all the elements of claim 26.

Claims 27-30 depend from claim 26 and, thus, inherit the patentable subject matter of claim 26. Therefore, claims 27-30 are also patentable over the combination of Wu, Cox, and Sun.

The Examiner rejected claims 19-24 under 35 U.S.C. § 103(a) as being unpatentable over Wu in view of Sun.

Claim 19 recites, *inter alia*, "attempting to connect the host party destination at the future meeting time; connecting the at least one participant party destination if the host party destination establishes a connection". For the same reasons as discussed above, the combination of Wu and Sun fails to teach or suggest all the elements of claim 19.

Claims 20-22 depend from claim 19 and, thus, inherit the patentable subject matter of claim 19. Therefore, claims 20-22 are also patentable over the combination of Wu and Sun.

Claim 23 recites, *inter alia*, "attempting to connect the host party destination; connecting the at least one participant party destination if the host party destination establishes a connection". For the same reasons as discussed above, the combination of Wu and Sun fails to teach or suggest all the elements of claim 23.

Claim 24 depends from claim 23 and, thus, inherits the patentable subject matter of claim 23. Therefore, claim 24 is also patentable over the combination of Wu and Sun.

The Examiner rejected claims 9-10 under 35 U.S.C. § 103(a) as being unpatentable over Wu in view of Cox and Sun further in view of U.S. Patent No. 6,282,278 to Doganata et al. ("Doganata").

Claims 9 and 10 depend indirectly from claim 1 and, thus, inherit the patentable subject matter of claim 1. Therefore, claims 9 and 10 are patentable over the combination of Wu, Cox, and Sun. Doganata, which is relied upon for disclosing a host destination that is an IP address, fails to cure these deficiencies of Wu, Cox, and Sun. Therefore, claims 9 and 10 are patentable over the combination of Wu, Cox, Sun, and Doganata.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

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